

IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

DEC 13 2017

JULIA C. DUDLEY, CLERK
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA)	INDICTMENT
)	
v.)	Criminal No. <u>7:17CR00076</u>
)	
SCOTT CURTISS PIERITZ)	18 U.S.C. §§ 2252(a)(2), 2252(a)(4)(B),
)	2252(b)(1), 2252(b)(2), 2422(b), 2427,
)	and 2260A

COUNT ONE

The Grand Jury charges:

That between in or about 2016 and on or about July 24, 2017, in the Western District of Virginia and elsewhere, the defendant SCOTT CURTISS PIERITZ, using any facility and means of interstate and foreign commerce, did knowingly persuade, induce, entice, and coerce, and attempt to persuade, induce, entice and coerce an individual who had not attained the age of 18 years to engage in sexual activity for which any person can be charged with a criminal offense, including the production of child pornography as defined in 18 U.S.C. § 2256(8).

In violation of Title 18, United States Code, Sections 2422(b) and 2427.

COUNT TWO

The Grand Jury further charges:

That between in or about 2016 and on or about July 26, 2017, in the Western District of Virginia, the defendant, SCOTT CURTISS PIERITZ, having previously had one or more prior convictions under the laws of any state relating to the possession, receipt, and/or distribution of child pornography, did knowingly receive and attempt to receive, using any means and facility

of interstate and foreign commerce, one or more visual depictions, namely digital video and/or image files, and the production of such visual depiction(s) involved the use of a minor engaging in sexually explicit conduct and the visual depiction(s) were of such conduct.

In violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

COUNT THREE

The Grand Jury charges:

That on or about July 26, 2017, in the Western Judicial District of Virginia, the defendant, SCOTT CURTISS PIERITZ, having previously had one or more prior convictions under the laws of any state relating to the possession, receipt, and/or distribution of child pornography, did knowingly possess a matter which contained a visual depiction(s) that had been shipped and transported using any means and facility of interstate and foreign commerce, and that had been shipped and transported in or affecting interstate and foreign commerce, and that was produced using materials which had been mailed, and shipped and transported using any means and facility of interstate and foreign commerce, including by computer, and the production of such visual depiction(s) involved the use of a minor engaging in sexually explicit conduct, and such visual depiction(s) was of such conduct, and further that: 1) at least one image was different than the images referenced in Count Two of this Indictment, and 2) included at least one depiction that involved a minor who had not attained 12 years of age.

In violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2252(b)(2).

COUNT FOUR

The Grand Jury further charges:

That between in or about 2016 and on or about July 24, 2017, in the Western District of Virginia and elsewhere, the defendant, SCOTT CURTISS PIERITZ, an individual required by Federal or other law to register as a sex offender, committed a felony offense involving a minor under Title 18, United States Code, Section 2422(b), as charged in Count One of this Indictment.

In violation of Title 18, United States Code, Section 2260A.

NOTICE OF FORFEITURE

1. Upon conviction of one or more of the felony offenses alleged in Count 1 of this Indictment, the defendant shall forfeit to the United States:

- a. any property, real or personal that was used or intended to be used to commit or to facilitate the commission of a violation of 18 U.S.C. § 2422(b), pursuant to 18 U.S.C. § 2428(a)(1); and
- b. any property, real or personal that such person obtained, directly or indirectly as a result of a violation of 18 U.S.C. § 2422(b), pursuant to § 2428(a)(2).

2. Upon conviction of one or more of the felony offenses alleged in Counts 2, 3 and 4 of this Indictment, the defendant shall forfeit to the United States:

- a. any visual depiction described in 18 U.S.C. §§ 2251, 2251A, or 2252, 2252A, 2252B or 2260, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of law, pursuant to 18 U.S.C. § 2253(a)(1).
- b. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from said violation of law, pursuant to 18 U.S.C. § 2253(a)(2).
- c. any property, real or personal, used or intended to be used to commit or to promote the commission of said violation of law, or any property traceable to such property, pursuant to 18 U.S.C. § 2253(a)(3).

- d. Any obscene material described in 18 U.S.C. § 1466A and any property, real or personal, used or intended to be used to commit or to promote the commission of a violation of 18 U.S.C. § 1466A, pursuant to 18 U.S.C. § 1467.

3. The property to be forfeited to the United States includes but is not limited to the following property:

- a. All such material containing the above-described visual depictions.
- b. One (1) Lenovo tablet, Model A7600-F, SN: HJHOBZQ4.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL, this 13 day of December, 2017.

/s/ FOREPERSON
FOREPERSON

for 

RICK A MOUNTCASTLE
UNITED STATES ATTORNEY